

## **EXHIBIT 22**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
BALTIMORE DIVISION**

National Association of Diversity Officers in  
Higher Education, et. al.,

Plaintiffs,

v.

Donald J. Trump, in his official capacity as  
President of the United States,

Defendant.

Civil Action No. 1:25-cv-333-ABA

**DECLARATION OF FAITH LEACH**

I, Faith Leach, declare as follows:

**Background**

1. I am over eighteen years old, of sound mind, and fully competent to make this declaration. I also have personal knowledge of the factual statements contained herein.
2. I am the Chief Administrative Officer of the City of Baltimore. I have served in this role since March 2023.
3. In my role, I manage the day-to-day government operations across the entire City enterprise, ensuring the effective, efficient, and equitable delivery of City services.
4. The City of Baltimore is a municipal corporation organized pursuant to Articles XI and XI-A of the Maryland Constitution, entrusted with all the powers of local self-government and home rule afforded by those articles.
5. Baltimore is the largest city in Maryland and the thirtieth largest city in the United States.

6. Baltimore is a city of nearly 600,000 people of all backgrounds. According to the 2020 Census, 60 percent of Baltimore’s population is Black, 27 percent is White, 8 percent is Hispanic or Latino, and 2.5 percent is Asian. Five percent of the City was identified by the Census as being of two or more races.

**Baltimore’s Commitment to Diversity, Equity, Inclusion, and Accessibility**

7. Baltimore’s diversity is its strength, and the City has made significant efforts to embrace people from all backgrounds to strengthen itself economically and socially. Baltimore is committed to building a more equitable city for families to thrive.

8. Mayor Brandon Scott has said from the beginning of his tenure that equity is his guiding principle, imbued into all aspects of the City’s work, from investing in the City’s Black and Brown neighborhoods and businesses, to governance decisions and ensuring all residents get what they need.

9. As part of its commitment to equity, Baltimore works tirelessly to foster a community that welcomes and serves all residents, regardless of race, ethnicity, gender, sexual orientation, disability, religion, or immigration status.

10. Baltimore has an Office of Equity and Civil Rights (“OECR”) devoted to activities to eliminate inequity, inequality, and discrimination. The OECR works to advance equity and uphold federal and local civil rights laws, including by enforcing the local living and prevailing wage laws, ensuring access and equal opportunities for persons with disabilities, and providing oversight of local law enforcement. The OECR’s mission is to eliminate inequity, inequality, and discrimination.

11. The OECR consists of the Police Accountability Division, the Community Relations Commission, the Mayor’s Commission on Disabilities, the Wage Commission, the

Women's Commission, and the Equity Office.

12. OECR's Equity Office ensures that Baltimore's policies, programs, and budget are fair and meet the needs of Baltimore's diverse communities, in part by offering diversity, equity, and inclusion trainings to City agencies. The Equity Office also administers an Equity Assistance Fund, which supports programs and activities that provide equity in housing and equitable access to education, assists in efforts to redress past inequities in City capital budget spending, and eliminates structural and institutional racism and other forms of discrimination based on immutable characteristics.

13. The Mayor's Commission on Disabilities is also part of OECR. The Commission works to remove barriers and promote equal rights and opportunities for individuals with disabilities by advising the City on accessibility and compliance with the Americans with Disabilities Act, running programs and services for those with disabilities, and helping provide information and education programs for government, business, and industries regarding reasonable accommodations for people with disabilities.

14. Each year, OECR hosts a celebratory Civil Rights Week. The celebration highlights OECR's work over the past year and pays tribute to people who have improved the quality of life in Baltimore over the past year.

15. Last year's Civil Rights Week included programs on "Women of Courage: Baltimore's Civil Rights Trailblazers" that honored the remarkable contributions of female trailblazers in Baltimore's Civil Rights Movement; "Immigration and Inclusion: A History of Struggle and Progress," a Spanish-language program that examined the struggle for and progress towards inclusion for immigrants in various sectors of Baltimore society, including housing, economic development, and healthcare; "From Protest to Progress: The History of the Prince

Hall Free Masons in Baltimore and Beyond,” which explored the relationship between Prince Hall Freemasonry and Historically Black Colleges and Universities, from early struggles to provide educational opportunities for Black people to the ongoing cultural and economic support of Masonry to Morgan State, to a reminder of the much-needed work to build a future of achievement; “Inclusion at Every Stage and Every Age,” which gave children with disabilities and their families and caregivers a day of fun-filled programming; and “From Protest to Progress: How the Birthplace of Redlining Turned into the Black Butterfly,” which discussed the history of redlining in Baltimore and the attempts by the City to reverse the effects in the community.

16. Baltimore also runs a “Warm Welcome” program, a free diversity, equity, inclusion, and accessibility training program for Baltimore businesses that encourages them to embrace those values through tangible and meaningful actions that support colleagues, neighbors, and visitors alike. The Warm Welcome program has been recognized in national tourism publications and by countless visitors that have felt the impact from the participation of over one hundred businesses.

### **Baltimore’s Federal Contract and Grants**

17. Baltimore is both a federal government contractor and grantee. Federal funding is crucial to serving Baltimore’s residents in countless ways. This funding helps support a range of Baltimore’s services and programs, including public safety, housing, the environment, the local economy, infrastructure, and accessibility for its citizens with disabilities. At the most fundamental level, federal funds help provide Baltimore residents with food, infrastructure, energy, and weather resilience.

18. All told, Baltimore currently receives around \$270 million in active federal

grants, which includes funding for programs covered under the Justice40 Initiative intended to benefit disadvantaged communities. The Justice40-covered programs, which spanned across the government, were developed, in part, pursuant to Executive Order 14008, which President Trump rescinded on January 20, 2025, by Executive Order 14148. By design, many of the Justice40-covered grants provide targeted support for historically underserved groups. Many of Baltimore's Justice40-covered grants necessarily touch on themes of equity and inclusion.

19. Baltimore receives \$500,000 from the Department Energy's Weatherization Assistance Program to improve energy efficiency in Baltimore homes. The Secretary of Energy is authorized to administer this grant program "for the purpose of providing financial assistance with regard to projects designed to provide for the weatherization of dwelling units, particularly those where elderly or handicapped low-income persons reside, occupied by low-income families." 42 U.S.C. § 6863(a).

20. Similarly, Baltimore has received at least \$850,000 for its Y-SURGE project through the Department of Health and Human Services' Family Planning Service Delivery Improvement Research Grant program. Y-SURGE provides funding for youth (age 15-24) clinical services and addresses the special needs of lesbian, gay, bisexual, transgender, queer (or questioning), intersex, asexual, and disconnected youth. The project aims to increase these young people's use of services and decrease disparities of rates of teen birth, STI, and HIV across race, ethnicity, and sexual orientation.

21. Baltimore also receives funding through the CDC's Public Health Infrastructure Grant program, which aims to ensure state and local health departments have the resources to deliver basic services by supporting critical public health infrastructure needs. The Baltimore City Health Department uses PHIG funding to support its DEI Coordinator position. The DEI

Coordinator is an integral part of the BCHD's Equity Strategy. Because of the history of inequity across healthcare, BHCD considers addressing those disparities to be a core public health infrastructure need. As part of her role, the DEI Coordinator provides a range of equity-related services to the organization, including co-leading the Equity Committee, creating training material, and hosting feedback sessions for LGBT staff.

22. Without the BCHD's DEI Coordinator, the department, in the short term, would have to eliminate 12 upcoming staff trainings as well as equity content for all staff members and in-house guidance on LGBT-related concerns and the community. These trainings are critical, in the long term, to ensuring that agency staff are able to appropriately address the history of mistreatment of marginalized groups in the healthcare system and treat those that the Department serves with dignity and respect.

**Consequences of President Trump's Executive Order 14151 (Section 2)**

23. I understand that, on January 20, 2025, President Trump signed an executive order titled "Ending Radical and Wasteful Government DEI Programs and Preferencing" (the "J20 Order").

24. The J20 Order directs federal executive branch officials to "[a]s appropriate" to "terminate, to the maximum extent allowed by law . . . 'equity-related' grants or contracts" within sixty days of the order. The term "equity-related" is not defined in the J20 Order.

25. Baltimore has received federal grants that could be considered "equity-related."

26. For example, the Weatherization Assistance Program grant that Baltimore receives is intended to provide equitable access to weatherization for low-income elderly people or people with disabilities and their families.

27. And Baltimore's federally funded Y-SURGE project is intended to increase

equitable access to clinical services for young people and decrease health disparities across race, ethnicity, and sexual orientation.

28. Through Baltimore’s PHIG funding, the BCHD maintains a DEI Coordinator, who works with BCHD staff to ensure constituents are treated with appropriate dignity and respect.

29. These are just a few examples of federal grants that Baltimore receives which could be considered “equity-related.”

30. Baltimore, accountable for a wide range of services supported by federal funding that could be considered “equity-related,” faces a quandary. The uncertainty of federal funding leaves the City wondering whether it needs to start reallocating resources—and likely reduce support for other programs or shutter some altogether—just to sustain certain critical municipal functions.

**Consequences of President Trump’s Executive Order 14173 (Section 3)**

31. I understand that, on January 21, 2025, President Trump signed an executive order titled “Ending Illegal Discrimination and Restoring Merit-Based Opportunity” (the “J21 Order”).

32. The J21 Order requires federal contractors and grantees to “certify that they do not operate any programs promoting DEI that violate any applicable Federal anti-discrimination laws.” Section 3(b)(iv)(B) (the “Certification Requirement”). And another section suggests that Baltimore and other federal grantees may face civil enforcement and penalties under the False Claims Act. Section 3(b)(iv)(A).

33. The J21 Order does not define what “programs promoting DEI” are or why such programs might violate anti-discrimination laws.



34. The J21 Order does not otherwise clarify which DEI or DEIA practices, programs, or services are prohibited.

35. Because the Certification Requirement does not explain which “programs promoting DEI” President Trump purports to prohibit, Baltimore fears it may have to abandon its lawful efforts and speech related to diversity, equity, inclusion, and accessibility, or else lose federal funds that support the City’s valuable programs.

36. As a result, Baltimore doesn’t know whether, to continue receiving federal funding, it must refrain from expressing its values or offering crucial services to its residents and visitors alike.

37. For example, many of the events and panels from last year’s Civil Rights Week celebration touched on topics related to diversity, equity, inclusion, and accessibility. Baltimore is uncertain whether, to comply with the Certification Provision, it would have to refrain from hosting such panels in the future, or perhaps even cancel Civil Rights Week altogether.

38. Similarly, Baltimore does not know whether it can continue its nationally recognized Warm Welcome program because it encourages local business to commit to embracing diversity, equity, and inclusion. Eliminating that program would threaten to make Baltimore less welcoming for those visiting the Charm City.

39. Baltimore is also uncertain whether, to comply with the Certification Provision, it would have to shutter other programs central to the City’s values through which it expresses its commitment to diversity, equity, inclusion, and accessibility. For instance, the City does not know whether it must shut down the OECR Mayor’s Commission on Disabilities, the OECR Equity Office’s Equity Assistance Fund, the OECR Equity Office itself, and/or the OECR altogether.

40. Several of Baltimore's programs offer trainings to help City agencies, local business, and other citizens learn how they can best advance equity. Yet because of the lack of guidance in the J21 Order, Baltimore fears it may lose federal funding for speaking its values through these trainings.

41. And the City suffers further chilling of its speech and expression because the Certification Requirement includes no timetable for its implementation. Baltimore cannot know whether the agencies overseeing its grant programs will insert the required certifications into active grants that Baltimore has already been awarded.

42. The City *wants* to continue operating these programs and hosting these events, but doing so could present an existential threat under the J20 and J21 Orders: loss of all federal grants and contracts or even criminal investigation and prosecution.

Under 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed: February 12, 2025

By: Faith P. Leach  
Faith Leach  
Chief Administrative Officer  
City of Baltimore